

UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF WASHINGTON  
AT TACOMA

JUDI COSTELLO,

Plaintiff,

v.

CITY OF VADER and JOE SCHEY,

Defendants.

CASE NO. C20-6251 BHS

ORDER ADOPTING REPORT  
AND RECOMMENDATION

This matter comes before the Court on the Report and Recommendation (“R&R”) of the Honorable Theresa L. Fricke, United States Magistrate Judge. Dkt. 42. The Court having considered the R&R and the remaining record, and no objections having been filed, does hereby find and order as follows:

- (1) The R&R is **ADOPTED**;
- (2) Defendants’ motion for summary judgment, Dkt. 32, is **GRANTED**;
- (3) Plaintiffs’ motion for leave authorizing service of process, Dkt. 26, and motion for summary judgment, Dkt. 37, are **DENIED**;
- (4) This action is **DISMISSED without prejudice**; and

1 (5) The Clerk shall enter JUDGMENT and close this case.

2 Dated this 28th day of February, 2022.

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5 BENJAMIN H. SETTLE  
6 United States District Judge  
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